

RECEIVED

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMAAFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED  
IN FORMA PAUPERIS

1:05CW1208-F

I, ELMER L. CHAVIS, being first duly sworn, depose and say that I am the plaintiff in the above-entitled case; that in support of my motion to proceed without being required to prepay fees and costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief.

I further swear that the responses which I have made to questions and instructions below are true.

YES ( ) NO (X)

1. Are you presently employed?

A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer. \_\_\_\_\_

B. If the answer is NO, state the date of last employment and the amount of the salary and wages per month which you received. JUNE 2003 \$1600 A MONTH

2. Have you received within the past 12 months any money from any of the following sources?

A. Business, profession, or form of self-employment?

YES ( ) NO (X)

B. Rent payments, interest, or dividends?

YES ( ) NO (X)

C. Pensions, annuities, or life insurance payments?

YES ( ) NO (X)

D. Gifts or inheritances?

YES (X) NO ( )

E. Any other sources?

YES ( ) NO (X)

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past 12 months. GIFT. \$110.00 ONE HUNDRED TEN DOLLARS / \$355.00 THREE HUNDRED FIFTY FIVE DOLLARS

3. Do you own cash, or do you have money in a checking/savings account? YES ( ) NO (X)

If the answer is YES, state the total value of the items owned. \_\_\_\_\_

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? YES ( ) NO (X)

If the answer is YES, describe the property and state its approximate value. \_\_\_\_\_

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support. \_\_\_\_\_

ELMER L CHAVIS  
Plaintiff

STATE OF ALABAMA  
COUNTY OF HOUSTON

Subscribed and sworn to before me on this 9 day of December,  
199 at Houston County, Alabama.  
2005

[Signature]  
NOTARY PUBLIC in and for said County,  
in said State

(SEAL)

My commission expires May 02, 2007  
OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Dec. 09, 2005.

Elmer L. Chavis  
Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Dec. 09, 2005.  
(date)

E. L. R. Chavez  
Signature of Affiant

CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ . - 20 on account to his credit at the Navarro County Jail institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months (not to exceed six (6) months).

1. \$ <u>25.00</u>	on the 1st day of <u>June 05</u>
2. \$ <u>15.00</u>	on the 1st day of <u>July 05</u>
3. \$ <u>40.00</u>	on the 1st day of <u>August 05</u>
4. \$ <u>15.00</u>	on the 1st day of <u>September 05</u>
5. \$ <u>40.00</u>	on the 1st day of <u>October 05</u>
6. \$ <u>40.00</u>	on the 1st day of <u>November 05</u>

[Signature]  
Authorized Officer of Institution

DATE Dec 09, 05'

Resident Account Summary  
Thursday, December 08, 2005 @07:31

For CIN: 55485 CHAVIS, ELMER

Date	Transaction Description	Amount	Balance	Owed	Held	Reference
11/16/2005	<MEDCO> HCTZ, ELAVIL, METOP, FISH (N	-0.20	0.00	114.80	0.00	
11/16/2005	MEDCO HCTZ, ELAVIL, METOP, FISH (N	-40.00	0.20	115.00	0.00	
10/24/2005	EPR CID:100030121-ComisaryPur	-4.80	0.20	75.00	0.00	
10/22/2005	<MEDCO> Payment for MEDCO on 2005	-5.00	5.00	75.00	0.00	
10/22/2005	DEPCASH ✓ ROSENE	10.00	10.00	80.00	0.00	
10/17/2005	MEDCO HCTZ, ELAV, LOPRESS, FISH OI	-40.00	0.00	80.00	0.00	
09/28/2005	MEDCO EOXY 09-17-05	10.00	0.00	40.00	0.00	
09/28/2005	MEDCO BACTRIM DECADRON 09-20-05	15.00	0.00	30.00	0.00	
09/23/2005	MEDCO HCTZ, ELAVIL, METOPRO	15.00	0.00	15.00	0.00	
09/21/2005	EPR OID:100029169-ComisaryPur	-34.20	0.00	0.00	0.00	
09/17/2005	<MEDCO> OMEGA 3 08-31-05	-5.00	34.20	0.00	0.00	
09/17/2005	MEDCO OMEGA 3 08-31-05	5.00	39.20	5.00	0.00	
09/16/2005	<MEDCO> Payment for MEDCO on 2005	-1.45	39.20	0.00	0.00	
09/16/2005	DEPMO ✓ RACHEL WALKER 53992096	40.00	40.65	1.45	0.00	
09/05/2005	EPR OID:100028720-ComisaryPur	-9.35	0.65	1.45	0.00	
09/05/2005	<MEDCO> Payment for MEDCO on 2005	-10.00	10.00	1.45	0.00	
09/05/2005	DEPCASH ✓ MICHELLE	20.00	20.00	11.45	0.00	
09/03/2005	<MEDCO> HCTZ/AMITRIP/METOPROLOL F	-3.55	0.00	11.45	0.00	
09/03/2005	MEDCO HCTZ/AMITRIP/METOPROLOL F	-15.00	3.55	15.00	0.00	
08/31/2005	EPR OID:100028394-ComisaryPur	-24.30	3.55	0.00	0.00	
08/11/2005	<MEDCO> Payment for MEDCO on 2005	-14.85	27.85	0.00	0.00	
08/11/2005	DEPMO ✓ ROSENE S1224504	-40.00	42.70	14.85	0.00	
07/26/2005	EPR OID:100027228-ComisaryPur	-9.30	2.70	14.85	0.00	
07/26/2005	ERF OID:100026196-ComisaryRef	2.00	12.00	14.85	0.00	
07/25/2005	<MEDCO> Payment for MEDCO on 2005	-0.15	10.00	14.85	0.00	
07/25/2005	<MEDCO> Payment for MEDCO on 2005	-9.85	10.15	15.00	0.00	
07/25/2005	DEPMO ✓ ROSENE POWELL S1200960	20.00	20.00	24.85	0.00	
07/17/2005	MEDCO HCTZ/ELAVIL/METOPROLOL JU	-15.00	0.00	24.85	0.00	
06/22/2005	<MEDCO> LAB 061505	-0.15	0.00	9.85	0.00	
06/22/2005	MEDCO LAB 061505	10.00	0.15	10.00	0.00	
06/21/2005	EPR OID:100026196-ComisaryPur	-29.90	0.15	0.00	0.00	
06/18/2005	DEPMO 08281453455--MAIL	30.00	30.05	0.00	0.00	
06/07/2005	EPR OID:100025803-ComisaryPur	-21.55	0.05	0.00	0.00	
06/05/2005	<MEDCO> Payment for MEDCO on 2005	-4.90	21.60	0.00	0.00	
06/05/2005	DEPMO 53327430--ROSENE	-25.00	26.50	4.90	0.00	
05/24/2005	ERF OID:100025248-ComisaryRef	1.50	1.50	4.90	0.00	
05/18/2005	<MEDCO> ELAVIL 051605	-0.10	0.00	4.90	0.00	
05/18/2005	MEDCO ELAVIL 051605	5.00	0.10	5.00	0.00	
05/17/2005	EPR OID:100025248-ComisaryPur	-33.30	0.10	0.00	0.00	
05/14/2005	DEPMO S1200327 ROSENE	30.00	33.40	0.00	0.00	
05/03/2005	ERF OID:100024493-ComisaryRef	0.75	3.40	0.00	0.00	
04/27/2005	EPR OID:100024493-ComisaryPur	-29.65	2.65	0.00	0.00	
04/25/2005	<MEDCO> Payment for MEDCO on 2005	-5.00	32.30	0.00	0.00	
04/25/2005	<MEDCO> Payment for MEDCO on 2005	-12.70	37.30	5.00	0.00	
04/25/2005	DEPMO S1187526	50.00	50.00	17.70	0.00	
04/25/2005	DEPMO VOID-S1187526	-50.00	0.00	17.70	0.00	
04/25/2005	DEPMO S1187526	50.00	50.00	17.70	0.00	
04/17/2005	MEDCO LPOID 041305	5.00	0.00	17.70	0.00	
04/17/2005	MEDCO VOID-LPOID 041305	0.00	0.00	12.70	0.00	
04/17/2005	MEDCO LPOID 041305	0.00	0.00	12.70	0.00	
04/17/2005	<MEDCO> HCTZ/ELAVIL/METOPROLOL FO	-2.30	0.00	12.70	0.00	
04/17/2005	MEDCO HCTZ/ELAVIL/METOPROLOL FO	15.00	2.30	15.00	0.00	
03/15/2005	EPR CID:100023193-ComisaryPur	-24.90	2.30	0.00	0.00	
03/12/2005	<MEDCO> Payment for MEDCO on 2005	-12.80	27.20	0.00	0.00	
03/12/2005	DEPMO S1169815--ROSENE POWELL	40.00	40.00	12.80	0.00	
03/10/2005	<MEDCO> HCTZ/ELAVIL/METOPROLOL/L	-7.20	0.00	12.80	0.00	
03/10/2005	MEDCO HCTZ/ELAVIL/METOPROLOL/L	20.00	7.20	20.00	0.00	
03/08/2005	EPR OID:100022816-ComisaryPur	-30.05	7.20	0.00	0.00	
03/01/2005	EPR CID:100022601-ComisaryPur	-24.20	37.25	0.00	0.00	
02/28/2005	DEPMO S1169253	50.00	61.45	0.00	0.00	
02/19/2005	<MEDCO> ELAVIL 021405	-5.00	11.45	0.00	0.00	
02/19/2005	MEDCO ELAVIL 021405	5.00	16.45	5.00	0.00	
02/19/2005	<MEDCO> LPOID 020905	-5.00	16.45	0.00	0.00	